



UNITED STATES PATENT AND TRADEMARK OFFICE

80

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,017	04/23/2001	Ranjit Sahota	004572.P001	5826

7590 02/17/2005

Sang Hui Michael Kim
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

RIES, LAURIE ANNE

ART UNIT	PAPER NUMBER
----------	--------------

2176

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/841,017	Applicant(s) SAHOTA ET AL.	
	Examiner Laurie Ries	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 59-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/23/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election of claims 1-36 in the ^{reply}replay filed on 12/28/2004 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 59-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Bowman-Amuah (U.S. Patent 6,542,593 B1).

As per claims 59-61, Bowman-Amuah discloses accessing content and media assets using a browser based on acquisition and conversion rules stored in a repository (See Bowman-Amuah, Figure 19, Column 16, lines 39-67, and Column 17, lines 1-8), where the accessing of the content and media assets includes accessing the content and media assets using an Internet protocol (See Bowman-Amuah, Column 1, lines 41-52). Bowman-Amuah also discloses navigating a web site using a browser to locate and access content and media assets without changing existing content on the web

site, in light of the definition of Web browser in the Microsoft Computer Dictionary, Third Edition (See Microsoft Computer Dictionary, Third Edition, Page 505, a "web browser" allows users to access files and software or browse documents on the World Wide Web and to play audio and video files associated with a document).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4, 6-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lonroth (U.S. Patent 6,826,597 B1) in view of Spencer ("Using XML to Build Internet Solutions").

As per claims 1 and 6, Lonroth discloses a syndication method and system including creating capture templates to harvest content from disparate content sources on multiple platforms (See Lonroth, Column 7, lines 22-36, Column 8, lines 5-18, and Figure 2, elements 240 and 242), extracting data from the disparate content sources using the created capture templates to control the extraction process (See Lonroth, Column 8, lines 14-18), and providing the data for optimized display on one or more different types of platforms (See Lonroth, Column 9, lines 3-22). Lonroth does not disclose expressly that the data is presented in a standardized, normalized data stream. Spencer discloses data in the form of a standardized data stream (See Spencer,

Art Unit: 2176

Paragraphs 1-2). Lonnroth and Spencer are analogous art because they are from the same field of endeavor of using XML to represent data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the standardized data stream of Spencer with the system and method of Lonnroth. The motivation for doing so would have been to enable a variety of applications to read from and write to the data (See Spencer, Paragraph 1). Therefore, it would have been obvious to combine Spencer with Lonnroth for the benefit of enabling a variety of applications to read from and write to the data to obtain the invention as specified in claims 1 and 6.

As per claims 2 and 7, Lonnroth and Spencer disclose the limitations of claims 1 and 6 as described above. Lonnroth also discloses that the content includes XML content, which is one of the possible content types set forth in claims 2 and 7 (See Lonnroth, Column 6, lines 48-52).

As per claims 4 and 9, Lonnroth and Spencer disclose the limitations of claims 1 and 6 as described above. Lonnroth also discloses that providing the standardized data stream for display includes providing the standardized data stream on a television display, personal computer display, or an electronic portable device display (See Lonnroth, Column 3, line 67, and Column 4, lines 1-6), and generating content and code optimized, personalized for a specific platform, network environment or local market (See Lonnroth, Column 3, lines 63-67, and Column 4, lines 1-14).

Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lonroth (U.S. Patent 6,826,597 B1) in view of Spencer ("Using XML to Build Internet Solutions") as applied to claims 1 and 6 above, and further in view of Nussbaum (U.S. Patent 6,779,154 B1).

As per claims 3 and 8, Lonroth and Spencer disclose the limitations of claims 1 and 6 as described above. Lonroth also discloses that the creating of the capture templates includes creating one or more XML files or documents to define rules, logic, and content extraction parameters (See Lonroth, Column 2, lines 35-51, Column 3, lines 23-31, and Column 9, lines 39-49). Lonroth and Spencer do not disclose expressly that the capture templates are to provide an ability to insert new media types and content optimized for a particular platform. Nussbaum discloses inserting new media types and content (See Nussbaum, Column 8, lines 14-34). Lonroth, Spencer and Nussbaum are analogous art because they are from the same field of endeavor of using XML to represent data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the insertion of new media types and content of Nussbaum with the system and method of Lonroth and Spencer. The motivation for doing so would have been, as in the example presented in Nussbaum, to enable a browser to recognize a stored "help" file as an audio file to be played by an audio plug-in (See Nussbaum, Column 8, lines 32-34). Therefore, it would have been obvious to combine Nussbaum with Lonroth and Spencer for the benefit of enabling a browser to recognize a stored "help" file as an audio file to be played by an audio plug-in to obtain the invention as specified in claims 3 and 8.

Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lonroth (U.S. Patent 6,826,597 B1) in view of Spencer ("Using XML to Build Internet Solutions") as applied to claims 1 and 6 above, and further in view of Arens.

As per claims 5 and 10, Lonroth and Spencer disclose the limitations of claims 1 and 6 as described above. Lonroth and Spencer do not disclose expressly caching the data stream, templates or content. Arens discloses caching data or information (See Arens, Abstract). Lonroth, Spencer and Arens are analogous art because they are from the same field of endeavor of storing and accessing electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the caching of data of Arens with the data stream, templates and content of Lonroth and Spencer. The motivation for doing so would have been to reduce the cost of retrieving data (See Arens, Abstract). Therefore, it would have been obvious to combine Arens with Lonroth and Spencer for the benefit of reducing the cost of retrieving data to obtain the invention as specified in claims 5 and 10.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Schnelle (U.S. Patent 6,233,592 B1) discloses a system for electronic publishing.
- Daugherty (U.S. Patent 6,345,292 B1) discloses a Web page rendering architecture.
- Adler (U.S. Patent 6,651,218 B1) discloses a dynamic content database for multiple document genres.
- Bleidt (U.S. Patent 5,671,377) discloses a system for supplying streams of data to multiple users by distributing a data stream to multiple processors.
- Lahr (U.S. Publication 2002/0046273 A1) discloses a method and system for real-time distributed data mining and analysis.
- Stone (U.S. Patent 6,101,510) discloses a Web browser control for incorporating Web browser functionality into application programs.
- Glushko discloses an XML framework for agent-based e-commerce.
- Hijiri discloses a spatial hierarchical compression method for 3D streaming animation.
- Bulterman discloses embedded video in hypermedia documents.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached at (571) 272-4090.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER